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PM-1321 Pakistan
Pakistan Application 291/89
Your File: No. 30590

Dear John:

Thank you for your 14 January 1991 facsimile regarding the Pakistan Patent Office action on the above application.

Regarding the Examiner's comments on claim 1, we agree with our Pakistan associate that the terms "filler material" and "aerosol precursor" are generally known to persons of ordinary skill in the art and that there is no need to amend claim 1 at this time. It may be helpful to point out to the Examiner that the terms "aerosol precursor" and "filler material" are broadly defined in the specification at page 8, lines 3-33. Furthermore, the term "aerosol precursor" used in claim 1 is more specifically defined in dependent claim 5 and the term "filler material" is more specifically defined in dependent claim 6, each of claims 5 and 6 depending from claim 1. We believe that the person of ordinary skill in the art would understand the meaning of those terms as used in each of claims 1, 5 and 6.

Regarding claim 9, although we do not believe any amendment is necessary, we have no strong objection to replacing "flavor generator" with "flavorant source" as proposed by the Examiner. If claim 9 is amended, it must be

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made clear, however, that claim 9 is directed to a structure which includes as a component of that structure a "plurality of pellets" as a "flavorant source" for use in a smoking article.

Regarding the Examiner's indicated amendment to claim 14, we do not understand why the Examiner has proposed to change "material" to "flavorant source" in the absence of any cited prior art. The specification teaches a method of making a "tobacco-containing material" to use in a smoking article as called for in claim 14. We agree with the Examiner that the specification also teaches that such a tobacco-containing material is useful as a flavorant source in a smoking article and that the term "tobacco-containing flavorant source" would be proper in a claim. However, we believe that the Examiner's proposed tobacco-containing flavorant source limitation would be more appropriately used in a claim depending from claim 14.

Please let us know if you have any questions or require any additional information.

With best regards.

Very truly yours,

Robert M. Isackson

RMI/grl

cc: Ms. Beverly A. Monroe (By Telecopier)

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